

State of New Hampshire Banking Department

In re the Matter of: ) Case No.: 08-BD-006  
)  
State of New Hampshire Banking )  
) Motion to Vacate  
Department, )  
)  
Petitioner, )  
) Motion To Vacate Only as to  
and ) Respondents Clarissa A. Kin and Brent  
) E. Niese  
"328 Milton Street, Cincinnati, Ohio )  
)  
45202-0926", Clarissa A. Kin, Brent E. )  
)  
Niese, Kenneth Michael, Catherine )  
)  
Michael, DOES INDIVIDUALS 1-100, and )  
)  
DOES COMPANIES 1-100, )  
)  
Respondents )

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NOTICE OF CEASE AND DESIST ORDER

Now comes Maryam Torben Desfosses, Petitioner in the above captioned cause and moves to vacate the Cease and Desist Order in this matter and for cause states as follows:

1. Respondents "328 Milton Street, Cincinnati, Ohio 45202-0926, Clarissa A. Kin, Brent E. Niese, Kenneth Michael, Catherine Michael, DOES INDIVIDUALS 1-100, and DOES COMPANIES 1-100 were properly served on or about September 2, 2008.

2. On September 12, 2008, Respondents Clarissa A. Kin and Brent E. Niese contacted the New Hampshire Banking Department ("Department") to inform the department that they are not affiliated with Respondents "328 Milton Street, Cincinnati, Ohio 45202-0926",

1 Kenneth Michael, Catherine Michael, DOES INDIVIDUALS 1-100, and DOES  
2 COMPANIES 1-100.

3 3. Therefore, the Department's receipt of this additional information  
4 has rendered Respondents Clarissa A. Kin's and Brent E. Niese's  
5 liability in this specific matter moot since it does not currently  
6 appear they are affiliated with the company, "328 Milton Street,  
7 Cincinnati, Ohio 45202-0926", Kenneth Michael, Catherine Michael,  
8 DOES INDIVIDUALS 1-100, and DOES COMPANIES 1-100.

9 4. Based on the above factors, the Petitioner now wishes to withdraw  
10 the Staff Petition, only as to Clarissa A. Kin and Brent E. Niese,  
11 that initiated the Cease and Desist Order against Respondents "328  
12 Milton Street, Cincinnati, Ohio 45202-0926, Clarissa A. Kin, Brent  
13 E. Niese, Kenneth Michael, Catherine Michael, DOES INDIVIDUALS 1-  
14 100, and DOES COMPANIES 1-100.

15 5. Respondents Kenneth Michael and Catherine Michael were previously  
16 vacated from the Cease and Desist Order on September 16, 2008.

17 6. Respondents "328 Milton Street, Cincinnati, Ohio 45202-0926", DOES  
18 INDIVIDUALS 1-100 and DOES COMPANIES 1-100 are heretofore still  
19 named Respondents and the Cease and Desist Order is still valid as  
20 to those named Respondents.

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23  
24 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]  
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Wherefore, Petitioner respectfully prays:

A. The Commissioner vacate the Cease and Desist Order only as to Respondents Clarissa A. Kin and Brent E. Niese in this specific matter; and

B. Grant such other relief as is just and in the public interest.

Respectfully submitted by:

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/s/  
Maryam Torben Desfosses

10/15/08  
Date

ORDER

Finding it in the public interest, the requested relief is hereby **GRANTED**. The Cease and Desist Order in 08-BD-006 as to Respondents Clarissa A. Kin and Brent E. Niese only is hereby **VACATED** this 15<sup>th</sup> day of September, 2008.

/s/  
Peter C. Hildreth  
Bank Commissioner